

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 198 OF 2006

M/s. Bombay Intelligence Security (India) Ltd.

... Applicant

Versus

Oil & Natural Gas Corporation Ltd.

..Respondents

Mr. D.D. Mehta, instructed by Mr. R.D. Suvarna, for the applicant.
Mrs. Beena Chavan, instructed by Mrs. Rekha Rajagopal for the respondents.

CORAM: SWATANTER KUMAR, C.J.

DATE: APRIL 13, 2007.

P.C.

The learned counsel appearing for the respondent has placed on record a copy of the letter dated 14th March, 2007, addressed by the respondent to the Arbitrator Mr. A.P. Ravani. It is further stated that the claims of the applicant have been referred to the said Arbitrator in accordance with clause 2.31 of the agreement. The said Mr. Ravani will be the sole Arbitrator to determine the disputes between the parties. The learned counsel appearing for the applicant submits that the claimants should not be exposed to unnecessary costs of pursuing their arbitration proceedings in Ahmedabad, as the cause of action has arisen at Mumbai. The disputes are relatable to Mumbai and the parties are residents of Mumbai. He further states that either an

Arbitrator who is a resident in Mumbai may be appointed by the respondents as a sole Arbitrator or in the alternative the cost of the arbitration proceedings, even if Mr. Ravani has to hold the meeting in Mumbai, should be borne by the respondents exclusively, except to the extent of sharing the cost of the sitting of the Arbitrator. Learned counsel appearing for the respondent submits that she has no objection and the Competent Authority would take a decision in that regard and communicate the same to the applicant within two weeks from today.

2. In view of the aforesaid stand taken by the respondent, no further directions are called for. The application is disposed of with the direction to the respondent to communicate to the applicant within two weeks from today as to the appointment of a new sole Arbitrator in place of Mr. Ravani or in the alternative informing the applicant that the applicant would not be liable to bear any costs except sitting cost of the Arbitrator, provided he holds the meeting in Mumbai. Application is disposed of accordingly. The parties are directed to bear their own costs.

CHIEF JUSTICE